

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES - GENERAL

Case No. SACV 07-838 CJC
SACR 04-0301 CJC ↓

Date: April 14, 2008

Title: UNITED STATES OF AMERICA v. MERVIN M. SOARES

=====

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Michelle Urie
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:

ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER GRANTING IN LIMITED PART
DEFENDANT'S MOTION TO VACATE, SET ASIDE OR CORRECT SENTENCE
BY A PERSON IN FEDERAL CUSTODY (filed 7/20/07)**

Defendant's motion to vacate, set aside or correct sentence is GRANTED IN LIMITED PART. The Court vacates and reenters the judgment without hearing to allow Defendant to file and pursue a timely appeal. The Court notes that its decision is the one recommended by the Government to resolve the issue arising from Defendant's failure to file a timely notice of appeal.

/lcs

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk MU